

The Kosi and the Embankment Story

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The Kosi afflux bundh breached in Kusaha in Nepal on 18 August 2008. This was the eighth incident of its kind and the first time did a breach occur upstream of the Kosi Barrage. The ones in 1968 and 1984 were no less disastrous but this year's breach has generated the most concern and its international dimension has added an edge. In an effective life of 45 years, the embankments have remained intact for 37 years. What happens to the people who have suffered the wrath of the river nearly five times more than those in the areas protected by the embankments?

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The eastern afflux bundh of the Kosi was breached on the 18 August 2008 near Kusaha in Nepal and the emanating waters have so far (25 September 2008) affected five districts, 114 blocks, 2,528 villages in the north Bihar. A population of 48.04 lakhs has been hit by flood that has destroyed 322,169 houses, engulfed a cropped area of 3.38 lakh hectares killing 235 people and 787 cattle. The kharif crop has been washed away and the loss of land that has gone under sand casting or waterlogging is yet to be ascertained and the extent of this will be known only after the floods have receded considerably. This has been an unprecedented event as, for the first time, the embankment has breached upstream of the Kosi Barrage. The other seven breaches took place downstream of the barrage in the years 1963, 1968, 1971, 1980, 1984, 1987 and 1991.

Since the flood waters have caused this extensive damage in the concerned districts and was repeatedly suggested that the Kosi has "changed its course", the question arises where else the water would have gone if the breach had not occurred at Kusaha and the Kosi not "changed its course"? To get an answer to this question we may have to go back in history of the Kosi Project that was taken up in the 1950s.

Laying the Foundation Stone

The foundation stone of the Kosi project was laid on 14 January 1955 by Shrikrishna Sinha near Bhutaha village close to Nirmali, in Saharsa district. The foundation stone for the eastern embankment was laid by president Rajendra Prasad on 22 March 1955 near Bairia village close to Supaul. The Kosi embankments were going to protect 214,000 hectares of land on the countryside of the embankments. On the other hand, however, for nearly 200,000 people, who were likely to be trapped within the embankments there was frustration, heartburning and apprehension. They were agitating under the leadership of

Parmeshwar Kunwar, Bahadur Khan Sharma, Kaushlendra Narayan Singh, Jaidev Salhaita, Bauku Mahato and Jageshwar Jha among others.

Once the construction work on the Kosi embankments and the barrage connecting Bhardah to Bhim Nagar started, tremendous enthusiasm was generated among the masses on the protected countryside of the embankments. At the same time, the villages that were likely to get trapped within them, on the riverside of the embankments, were disheartened and their number were well over 300 and there was no policy or assurance from the government to look into their problems. These villagers were obviously opposed to the embankments. The miseries of the Kosi floods that the entire area was facing were now going to exclusively befall these hapless victims of the embankments. The embankments that were going to protect the villages located on the countryside were going to guarantee regular devastation by floods to the villages trapped within them for all times to come.

Inaugurating Politics

To dispel any fear of inundation within the embankments, addressing a gathering of the workers of Bharat Sevak Samaj on 2 December 1954, Lalit Narayan Mishra, a Congress Party leader who later became the minister for railways, had said that recent model tests at the Poona Laboratory had shown that only a four inches deep sheet of water would enter the villages that would fall within the two embankments at a discharge of 25,510 cumecs (900,000 cusecs) in the river. The flood of 1954 had a maximum discharge of 21,260 cumecs (750,000 cusecs) only and hence the problem of rehabilitation was not very serious. The central minister for planning, Gulzarilal Nanda, was also present at this meeting.¹

Confirmation of Mishra's views was later reported by the laboratories of the Central Board of Irrigation and Power in October 1956, "It was found that there is practically no rise in the water levels at these villages due to the construction of the embankments".² These findings later proved to be a very cruel joke on the embankment victims. Also, who influenced whom, is a curious question.

The embankments were political from the very beginning, maintained Tul Mohan Ram, an ex-MP from the Kosi basin.³

To quell any dissent against the construction of the proposed Kosi embankments, an official north Bihar trip of Rajendra Prasad, then president of India, was arranged during 17-24 October 1954 where he requested the public to participate in the *yagna* of nation-building, i.e., the construction of the Kosi embankments. One can only imagine the stress that the president must have gone through as he was an ardent critic of embankments, given his contrary views at the Patna Floods Conference of 1937.

In fact, prior to the construction of the embankments Kanwar Sain, then chairman of the Central Water and Power Commission (CWPC) and K.L. Rao, then director of CWPC were sent to China to study the embanking of the Hwang Ho. About the rehabilitation part of the project, they were of the view that the people there were subject to minor inconveniences at an interval of 12-15 years and that can be provided for by remitting the cess and some relief work. The statement of Lalit Narayan Mishra on 2 December 1954 in Patna and the findings of the Poona Hydraulic Laboratory helped to temporarily convince the people that their lives within the embankments would not be threatened.

Long-term Rehabilitation

To start with, long-term rehabilitation was a non-issue in the Kosi project. Stray voices were heard after it began and these too were limited to encourage those likely to be trapped to sacrifice their lands for the larger interests of the society and for the building of a new nation. The administrator of the Kosi project, T.P. Singh, reported in 1955 that,

Fair compensation will be paid for the land likely to be trapped within the embankments at the soonest. People will not have to run for this. The embankments will not bifurcate any village nor would any house be destroyed because of the alignment of the embankments. Should any house be demolished, immediate solution to the problem will be found out and staff scarcity will not come in the way.⁴

Mahi Narayan Jha, public relations officer of the project added,

although no decision has yet been taken regarding the situation of those living within the

embankments, the results of the experiments from the Poona Laboratory are encouraging and it is being understood that they will not be inconvenienced much.⁵

The issue of compensation, rehabilitation, and well-being of those living within the embankments remained unaddressed for a long-time even after the start of the construction work and nobody knew what was in store for the people who would become hapless victims of the project.

On 2 March 1956, the Kosi Control Board met in Patna to discuss the issues of compensation and rehabilitation. It is reported that the members of the CWPC were opposed to paying any compensation to the embankment victims. But Ram Charittar Singh, then irrigation minister in Bihar, and T.P. Singh prevailed upon their views. The chief minister also, supported the views of the latter. The chairman of the CWPC was reported to be of the view that payment of compensation in one project would set a wrong precedence and people would start demanding rehabilitation in all such projects in the future.⁶

By June 1956, with the start of the monsoon, it was getting clear that their future was bleak and that there was no hope that they will ever get respite from the floods of the Kosi.⁷ People started demanding that wherever possible, the villages be protected by ring bunds, flood victims be resettled, proper arrangements be made for providing employment to embankment victims and certificates be issued to them for waiving land revenue and recovery of loans.

T.P. Singh told media persons on 11 June 1956 that a vast tract of Saharsa district was safe from floods because an embankment had been built. The area that once resembled an ocean had been turned into lush green fields. He maintained that it was not possible to protect the people living within the embankments from floods and that arrangements were being made to shift them to safer places.⁸

But in the Bihar Vidhan Sabha, Janaki Nandan Singh, MLA narrated a different story,

I have travelled through that area in a boat and the pathetic condition of the people that I have seen in those places will make anybody cry. They do not have a dry piece of land even for

answering nature's call. There is no crop and they are face-to-face with death. Relief could probably have saved them from this disaster but it has been suspended for some days...You claim to be a welfare state and on the other hand thousands of people are facing starvation...It is a pity that you say that there is no money. Then what is the government for? (Singh 1956).

Agitation for Rehabilitation

People's dissent simmered slowly as they began to understand the impact of the embankments. A movement was launched under the leadership of Bhushan Gupta, chairman of the Saharsa district board in the middle of 1956. He took up the cause of the people whose houses and lands were trapped within the embankments because it was certain by then that they would face the devastating currents of the river for all times to come after the river was embanked. He balked at the various official assurances that nothing untoward would happen (Azad 1956: 4).

The people mounted pressure on the government for relocation but not enough land was available for such massive rehabilitation. It was never anticipated that people would be so organised in the years to come, that they would remind their leaders of their obligations to the embankment victims. If that was known earlier, the government would have been ready with a rehabilitation package. It realised that if the total value of all the assets had been accounted for it would have to pay something to the tune of Rs 10 to Rs 11.5 crore. This amount would have disproportionately increased the cost of the project that was estimated to be Rs 37 crore. It also realised that if the entire property worth Rs 10 to 11.50 crore had to be compensated for, then the estimated cost of the project would balloon and the project itself would have to be shelved Mookerjee (1963).⁹ It was then decided that the houses would be relocated outside the embankments and the farmers would till their ancestral land to make their living. The cost of such rehabilitation was estimated to Rs 21,267,390. In his memorandum to the council of ministers, the administrator, T.P. Singh, suggested that since the displaced persons of the Kosi embankments were not yet compensated, their case should be sympathetically looked at.¹⁰

After a lot of persuasion, Dip Narayan Singh, replying on behalf of the government in the Bihar Vidhan Sabha, on December 3, 1958 assured the house that the government would provide for:

- (1) An equivalent area of homestead land at a reasonable distance from the embankments on the outside so that the villagers might live as close as possible to their cultivable land within the embankments.
- (2) Additional land for community services like schools, roads, etc.
- (3) Water supply at the rehabilitation sites with the help of tanks, tube wells and wells.
- (4) Grants for building houses.
- (5) Boats to be used as means of transport to and from the agricultural lands lying inside the embankment.

On 15 February 1960 when the Bihar Vidhan Sabha was debating the annual budget, the house was told that 70 out of 304 villages had been rehabilitated in the Kosi project and efforts were on to rehabilitate the remaining population. Ramanand Tiwari, MLA, passed a scathing remark on the government's rehabilitation performance. He said, "If you have resettled 70 villages in two years time and keep the same pace to resettle people, you are going to take another nine years to complete the job. Do you expect me to pat you on your back for this achievement?" Ramanand Tiwari had no inkling that the job was not going to be completed even in nine years.

Promises from the politicians and officials notwithstanding, the actual work of rehabilitation on the ground was in a very poor shape.

By 1970, some 6,650 families were relocated outside the embankments. This meant that about 35,000 families still lived inside them. The government faced difficulties in land acquisition while the people had their own set of problems. The rehabilitation sites were far away from their fields and commuting was a major problem because one had to cross various channels of the Kosi. Politicians had promised that boats would be provided but they were not made available. The major problem with rehabilitation, it was argued, was that people were attached to the lands of their ancestors, and were unwilling to stay away.

Parmeshwar Kunwar (MLA), however, blasted this argument in 1968. Referring to his own village Tarahi, located within the embankments, he said,

The rehabilitation problem is not yet sorted out there. They have been left to the mercy of god. They are told to settle down four to five miles in the west in Darbhanga district where they do not want to go.... Today if the people go to the officials, they tell them to go to the minister and when they contact the minister, he says go and talk to the officials. There are 1,200 bighas of land that have been acquired for resettlement and the people are willing to go there but they are not permitted to get on to this patch of land. The people are in trouble and the government says that the people are too attached to their ancestral land.¹¹

Later, the lands on which rehabilitation sites were provided slowly became waterlogged and unfit for living.

According to a Public Accounts Committee Report to the Bihar Vidhan Sabha, between 1958 and 1962, some 12,084 families were allotted homestead land outside the embankments and Rs 16.73 lakh were granted to them as the first instalment. When there was no progress in the work, the project authorities decided to persuade people to shift to new locations and if they did not agree to move, the committee recommended that recovery proceedings be initiated against them.¹²

Another committee of the Bihar Vidhan Sabha reviewed this problem from a different angle. It said that the people, whose interests had been totally sacrificed in building the embankments on the Kosi, spent a nomadic life for four to five months a year.

It is a pathetic situation. Every year thousands of people are appointed to the project and the contractors swindle lakhs of rupees. But the affected people neither get the jobs nor any preference in the award of contracts. They are ignored. Their number is negligible in work charge appointments let alone the permanent jobs in the project. This situation should not be taken lightly. It can assume serious proportions any time and may lead to a law and order problem...The rehabilitation scheme in progress is totally inadequate. The farmers and the labourers are given only homestead land. They are not given any land for their livelihood. No industry is being opened in the area. All that the people receive is about 4 decimals of land and some grant to build thatched houses for themselves. Most of this money is spent on collecting the grant.¹³

According to this report, till 1972-73, a sum of Rs 17,528,392 of the total allocation of Rs 21,267,390 had been spent on rehabilitation. At that point 32,540 families had been given the grants of which only 10,580 were given the second instalment. Nobody had qualified for the third and final grant since none of the houses were complete.

Displaced Profiles

According to the available information, there are 380 villages with a population of 9.88 lakh trapped between the two embankments of the Kosi. They are spread over four districts (Supaul, Saharsa, Darbhanga and Madhubani) and 13 blocks (Basantpur, Kishanpur, Saraigarh-Bhaptiahi, Nirmali, Supaul, Navhatta, Mahishi, Simri Bakhtiyarpur, Salkhua, Kiratpur, Laukahi, Marauna, and Madhepur). The literacy figures in the entrapped area are quite shocking. The literacy level of Saharsa district was only 39.28 per cent (male 52.04 and female 25.31) according to the 2001 Census). In the same census, the literacy figure for Bihar state is 47.53 per cent (male 60.32 and female 33.57) while at the national level the corresponding figures are 65.38 per cent (male 75.85 and female 54.16). Bihar was the only state in the country with a literacy level of less than 50 per cent in 2001. Within Bihar, four districts in the Kosi basin Supaul, Saharsa, Madhubani and Darbhanga; occupy the 7th, 9th, 13th and 16th position from the bottom.

It is a fact that education has collapsed in the state but it becomes very easy to find excuses for such unfortunate occurrences within the embankments. The area that we are referring to here, located within the Kosi embankments, has a female literacy percentage of only 14.39. At the national level, this was the female literacy rate way back in 1951 and the same must have existed in Bihar in 1982. Female literacy levels in Marauna block of Supaul district and Simri-Bakhtiyarpur block of Saharsa district are less than 10 per cent. Male literacy levels are no different either. The male literacy percentage of 38.79 (2001) within the Kosi embankments existed at the national level in 1960 and in Bihar this figure may have existed around 1982. The overall literacy percentage of 30.11 (2001) within the Kosi embankments existed at the national level in 1963 and at

the state level in 1984. This clearly signifies that those living within the Kosi embankments are 40 years behind rest of India and 20 years behind the rest of Bihar as far education is concerned. Bihar itself occupies the lowest position within the country in education (Mishra 2008: 140-41).

The literacy level is a guide to the living standards of the people and if that is in such shambles one can very easily imagine the state of other civic amenities here. If that is the average situation, the problems of the dalits and the other downtrodden communities of the area can only be much worse. There are no colleges, no banks, no cinema halls, no roads, no electricity, no hospitals and nothing that can be linked to modern living for these people living within the embankments.

Sufferers' Stories

Ram Sagar, former mukhiya of Belwara panchayat in Simri-Bakhtiyarpur block says,

We were provided housing sites in Belwara Punarwas. Ninety per cent of the people are now backing in the original village because of waterlogging at the rehabilitation site. The government has since annually allocated this land to those who will do some farming. It does not belong to us anymore. The original village is exposed to the onslaughts of the floods and erosion. Our village has eroded 14 times in the past 42 years and each time we have built a new house. There is no option for us because our agricultural land is located inside the embankments. We move on to the eastern embankment during the rains and go back after the floods subside. Some families, who do not have any other place to go are settled permanently on the embankment itself.

Thus most people are compelled to get closer to their ancestral villages and fields but farther from basic civic amenities because they remain trapped within the two embankments. The block, sub-division and district collector's offices, are all located outside the embankments. Education, health services, legal aid, administrative facilities, banks, employment opportunities and so on, exist only outside the embankments.

It is clear that the government had been asleep for 30 years after constructing the embankments, when it constituted the Kosi Pirit Vikas Pradhikar (Kosi Sufferers Development Authority) in 1987. The embankment victims waited for eight-nine

years to watch the non-performance of the Pradhikar and then came out in protest.

The Pradhikar

While most people returned to their villages, the ghost of rehabilitation, continued to haunt the area. T P Singh, while speaking at a meeting organised by the Kosi Samiti at Patna, on 15 December 1954 said that the government was well aware of its obligations towards those who would live between the proposed embankments and thereby face flood hazards of the Kosi and also those who are facing floods. It would neither dilute the demands made for compensation nor shirk its responsibilities towards the people.¹⁴ Something similar was said by Bindeshwari Dubey, then chief minister of Bihar, at Ghoghar-diha, on 8 November 1986.¹⁵ This lack of concern of successive governments over a span of 32 years is mind-numbing.

Actually it was almost certain that the government could give a house in lieu of a house, but it was never possible to acquire land on that massive scale for cultivation. It was never given in writing that the government would provide land for land nor was it ever said in writing that it would provide a job to one person in a family in the Kosi project, although every elderly person in the area asserts with confidence that some leader or a senior officer of the project had given such assurances. Their list includes Jawaharlal Nehru, Gulzarilal Nanda, Lalit Narayan Mishra and T P Singh. Collector George Jacob of Darbhanga is often quoted in this regard that he had given these assurances in writing but the letters are missing.

The government of Bihar had, in fact, constituted a committee in 1962 to plan and execute programmes on agriculture, health, revenue collection, extension and cooperatives. The land development commissioner, development commissioner and the chief administrator of the river valley projects were the members of this committee. It proved to be ineffective. In 1967 another committee was constituted under the chairmanship of the Kosi area development commissioner to prepare plans on agriculture, industry, cooperatives and economic rehabilitation of the embankment victims. This committee too repeated the non-performance of the earlier committee.

The government was not prepared to handle the rehabilitation issue in the Kosi project and there was considerable indifference from the Kosi project authorities on this issue. In 1966, Baidya Nath Mehta (MLA) narrated the callousness on rehabilitation in the Bihar Vidhan Sabha,

Has the government ever bothered to look into the grievances of the people trapped between the Kosi embankments, the people on whose dead bodies you erected the structures?...There are nearly 1.75 lakh people living within the Kosi embankments. For them it is a question of life and death and that question is placed before us now. Our minister makes no reference about their plight. Whenever the issue of those living within the embankments comes for discussions, he shuts his eyes. When the embankment was being built, I had raised the point of their well-being but the leaders within the state and those in the centre had assured that there would be no adverse impact on them.¹⁶

After a lot of persuasion the state government appointed a committee in 1981 to look into the possibilities of economic rehabilitation of the victims of the embankments under the chairmanship of Chandra Kishore Pathak, then chairman of the Saharsa district board. This committee submitted its report in February 1982. It remained under active consideration of the government till January 1987 when it finally seemed to accept the report's recommendations. Bindeshwari Dubey might have considered accepting the report when he said that the government would do something for the victims.

The Chandra Kishore Pathak Committee elaborately discussed the possibilities of developing agriculture, animal husbandry, industry, public health, education, awareness building and land development within the Kosi embankments. It also recommended 15 per cent reservation in class 3 and class 4 services of the state government in the districts of Saharsa, Supaul, Madhepura, Araria, Purnea, Kati-har, Darbhanga and Madhubani that were directly benefited by the construction of the Kosi embankments. The government of Bihar accepted these recommendations at a meeting held on 30 January 1987. This long overdue gesture of the government came after a lapse of about 30 years of completion of the Kosi embankments and passage of one generation while the population trapped between the embankments

had risen from 192,000 to about 450,000. Though late, the gesture was certainly a welcome one.

Following these recommendations, the government constituted a Kosi Pirit Vikas Pradhikar on 14 April 1987 and appointed a 19-member committee, under the chairmanship of Lahtan Chaudhary, to look after the affairs of the Pradhikar.

But this Pradhikar is a defunct body and it is of no use to the embankment victims. Twenty years have passed since the Bihar government accepted the proposal for an institution that would ameliorate the problems of the Kosi sufferers. There may be a chairman of the Pradhikar enjoying privileges of a cabinet minister and other members who might meet occasionally at public expense, but the embankment victims remain where they were some 50 years ago. It has no building or an office of its own, no vehicles, no permanent staff and no budget that it could call its own. For all practical purposes, it can call itself an advisory body that suggests what other departments can do to help the people living within the Kosi embankments. Whether that advice is taken at all by anybody is altogether a different matter. It has a base in the Vikas Bhawan at Saharsa with nobody to represent and it is really very hard to find where the Pradhikar is located. Most of the government officers in Saharsa, where the Pradhikar is located, do not know that such a body exists. Rehabilitation and Pradhikar have become a political issue now. In every election, politicians promise that if they are voted into power, they will revive the Pradhikar but it is a case of still birth and hence the question of its revival is moot.

Entrapped within Embankments

The Kosi embankments not only trap Indian villages but 12 Nepali villages south of the Kosi barrage and 22 villages north of the Kosi barrage that fall within them. Says Dev Narayan Yadav of Rampura village in Saptari district in Nepal,

The land over which the Kosi was flowing those days and the land that was acquired for rehabilitation was compensated for. For example, Lilja village had a total of 1,430 bighas of land and the Kosi project acquired 317 bighas of that land. The balance land remained with the owners. When the barrage and the embankments were completed and

water was released from the barrage then erosion set in, upstream as well as downstream of the barrage. The river started shifting its course within the embankment and nearly 1,113 bighas in Lilja were eroded. No compensation was paid to us for such losses. This erosion has now extended to 61 villages in Nepal.¹⁷

Actually, the rehabilitation scenario in the Kosi project in Nepal is in no way different than that of the Indian scene. The only difference is that if there is any resentment over there regarding rehabilitation, it can be indicated to India through Kathmandu only. Direct dialogue or direct expression of dissent is not possible. This is also true for the villages on the Indian side. The resentment of the villagers turns into anger, sometimes.

There was an interesting debate in the Bihar Vidhan Sabha about the plight of those trapped within the embankments. Vinayak Prasad Yadav (MLA) pointed out that the condition of Bela, Singar Moti and Dhobiahi villages had become precarious because the Kosi was on the verge of eroding them. He wanted to know the government's plans to protect these villages. Rameshwar Prasad Singh replied on behalf of the government of Bihar saying,

These villages are located within the Kosi embankments and Bela Dhar is a stream of the Kosi. When water comes in that stream, the villages are threatened with erosion but it is not the job of the government to protect such villages. The villagers have been paid compensation and they should vacate the place. The land within the embankment is meant for agriculture and not for dwelling purposes. The government does not spend money for protecting the villages.¹⁸

This was a policy statement of the government to which it still conforms to. This means that the government exonerates itself of any obligation to the people living within the embankments of any river. If the embankments are secure, then life within them becomes insecure because of the rising flood levels. But the water resources department (WRD) views it as a sacred duty to keep the embankments intact. How far is this mission achieved is anybody's guess.

Not on Anybody's Agenda

These issues concerning the people living within the embankments are not on the agenda of any political party. The

responsibility of a good number of NGOs working in those areas ends with providing some relief to the flood victims. The issue of floods and waterlogging is a matter of concern to them but looking for a permanent solution to the problems of the people is something that they are not interested in. Their role is limited to raising funds for relief operations, holding seminars and conferences on environmental degradation, livelihoods and rights approach. They close their eyes to the systematic cheating of the people, breach of trust, betrayal by the administrative, political and technical machinery of the state and chant the disaster mantra starting with preparedness, mitigation and ending with long-term rehabilitation. They also recite catchy phrases like equitable relief, empowerment and "living with floods", etc, in the same fashion as students in the village primary schools recite their tables before their teachers. The teacher derives satisfaction that the students remember the tables and the students' morale remains high that the teacher is happy. Running away from the real issues is their inherent compulsion for survival.

The Struggle Continues

In the new generation, an advocate Dev Kumar Singh of Kosi Mukti Sangharsh Samiti (KMSS), Supaul district has taken the wand from the elders and sustained the voice of the embankment victims over the past 15 years. He has raised the issue before the chief secretary of the state to the president of the country. When nothing worked, he wrote to the National Human Rights Commission (NHRC) on 30 May 1998 with a request to intervene.

NHRC, through its letter No 2294/4/97-98 dated 12 August 1998 asked the chief secretary of Bihar about the status of these demands. When there was no reply from the government of Bihar (GOB), the NHRC once again wrote to it on 22 March 1999 to explain its position over the issue. The GOB replied on 11 October 2001 to clarify its stand. It said,

The people who lived between the embankments have been rehabilitated as per the provisions of the Rehabilitation Scheme 1957. Following the rains and after the flood season, agriculture, fisheries and other economic activities became very lucrative and then the rehabilitated persons, at their

own will, stay within or outside of the embankments and make use of their land and enjoy other economic benefits within the embankments.

The rehabilitation scheme of 1957 is the same plan of Rs 2.12 crore that was discussed earlier. About the proposed Barakhshetra dam, the GOB informs the NHRC in the same letter that,

There will be progress in the direction of construction of this dam only after an agreement is reached between India and Nepal. The flow of the river will be stabilised fully after the construction of this dam and deposition of silt will not create any problem then.

The GOB also suggested in the letter that,

(of) the said (rehabilitation) plan, 136 rehabilitation sites have been developed and a sum of Rs 1.17 crore has been spent on grants for house construction. A sum of Rs 1.10 crore have been spent on the development of civic amenities. Thus, the project has spent more than what was provided for and has rehabilitated 39,527 families.

The report further adds that the affected families use the rehabilitation sites as an alternative dwelling during the flood season. They are not prepared to leave their ancestral homes and that is the reason that about 1,400 acres of land are lying vacant at the rehabilitation sites. These vacant sites are auctioned annually so that they (affected persons) are benefited the most. The overall rehabilitation situation in the Kosi project is in a very bad shape. There is no clarity about which village is rehabilitated where. There is some trace of those who migrated to distant places in search of employment after moving to the rehabilitation sites and have maintained links with their village, but those who left for good are untraced. Even their relatives do not know anything about them.

In 1956, M M Prasad had quoted a figure of 45,291 families likely to be trapped within the embankments, and the WRD of the GOB says, in 2001, that it has rehabilitated 39,527 families from within the Kosi embankments. By its own admission then, some 6,000 families are yet to be rehabilitated. Also when M M Prasad gave his figure in the Bihar Vidhan Sabha, the eastern embankment of the Kosi was to be extended only up to Mahishi and the western embankment was to terminate at Bhanthi. Only 304 villages were expected to be

entrapped by then. But the eastern embankment was extended to Koparia and the western embankment to Ghonghepur bringing another 76 villages within them. Adding these families to the list, further swells the number of families to be rehabilitated. As a crude guess, there should be at least 10,000 additional families. Further, when Phase-1 of the Kosi project was completed in 1985, it was reported that a sum of Rs 180 crore was spent on the project till then. This was more than four times its original estimate. When the prices of men and material escalated many fold, why was the same increase not foreseen in the rehabilitation costs that it had raised only marginally to Rs 2.27 crore against the original estimate of Rs 2.12 crore? It must be noted that land for rehabilitation sites for many villages is yet to be acquired.

The NHRC forwarded the reply of the WRD of GOB to the KMSS (13 May 2004) to seek its opinion over the matter. In response to the letter of the WRD of the GOB, KMSS raised the issue of equality of all citizens before law and requested that the NHRC reconsidered the whole issue afresh. The NHRC forwarded the letter written by KMSS to the GOB "for further necessary action as deemed proper, in the light of the suggestions made by the opposite party" and closed the case on the 10 December 2004. It must be noted that there was no visit made by NHRC to the area before it reached the decision to dispose off the case nor did NHRC remind the GOB to furnish all the information that it had asked for on 22 March 1999.

Choice before the Victims

What choice do the people, or any organisation like the KMSS, have to express their frustration against the apathy of the government towards their genuine problems? They can go in for sit-in strikes, processions, demonstrations, gherao, or, at best, boycott the elections. Even that was resorted to by the people under the banner of the KMSS in the 1999 elections of the Lok Sabha and 2000 election to the Bihar Vidhan Sabha. Politicians want votes and they know very well how to appease people by making false promises. They played the trick on both the occasions and that was all.

The NHRC, in its wisdom, has chosen not to provide succour to the hapless

embankment victims. Now their last hope is to appeal to the Supreme Court of India. Should that plea fail too, they can only knock on the doors of the Society for Prevention of Cruelty to Animals. This is what the Kosi embankments have done to nearly a million people. In the meantime, within embankments and the waterlogged regions, hapless people wait for some messiah to emerge and rescue them. The tragedy is that there is none.

NOTES

- 1 *The Searchlight*, Patna edition, 3 December 1954, p 1.
- 2 *Irrigation and Power*, Kosi Pilot Model-Round the Research Institute, Central Water and Power Research Station Poona, Vol XIII, October 1956, p 560.
- 3 Personal communication with Tul Mohan Ram.
- 4 T P Singh, *Aryawarta*, Patna, Kosi Yojana Ke Baandh, 26 January 1955, p 2.
- 5 M N Jha: As quoted in *Aryawarta*, Patna, 17 January 1955.
- 6 *Aryawarta*; Patna edition, 4 March 1956, p 2.
- 7 *Ibid*, 14 June 1956, p 6.
- 8 *Ibid*, 12 June 1956, p 1.
- 9 D Mookerjee was the chief engineer in the Kosi Project.
- 10 T P Singh: Memorandum for the Council of Ministers, Memo No 10234, op cit.
- 11 Parameshwar Kunwar; Bihar Legislative Assembly Debate, 7 June 1968, p 25.
- 12 Bihar Vidhan Sabha, *45th Report of the Public Accounts Committee*, Government of Bihar, presented on 8 June 1972. On rehabilitation in Kosi Project (Hindi), pp 53-58.
- 13 Bihar Vidhan Sabha, *Report of the 50th Estimates Committee*, Government of Bihar, (1972-73), pp 12-13.
- 14 *The Searchlight*, Patna edition, 16 December 1954, p 1.
- 15 *Aryawarta*, Patna edition, 9 November 1986.
- 16 Baidya Nath Mehta; Bihar Legislative Assembly Debate, 21 March 1966, p 14.
- 17 Personal communication with Dev Narayan Yadav of Raj Biraj, Nepal.
- 18 Rameshwar Prasad Singh; Bihar Legislative Assembly Debate, 28 March 1968.

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